

BILL NO. G-90-08-06
(as amended)

GENERAL ORDINANCE NO. _____
(as amended)

AN ORDINANCE to include in the definition of "salary of a first class patrolman" the annual payment by the City of Fort Wayne of the assessment levied against the pay of a police force member and paid into Police Retirement Funds when all, or part, of such assessment is paid on behalf of the member by the City of Fort Wayne rather than retained from the salary of a police force member.

WHEREAS, Indiana Code, Section 36-8-6-4, and Indiana Code, Section 36-8-8-8, provide that each active police officer who is a member of a Retirement Fund shall pay an assessment equal to six (6%) per cent of the salary of a first class patrolman into such Retirement Fund annually, and

WHEREAS, the Indiana General Assembly in 1989 amended Section 36-8-6-4 and Section 36-8-8-8 by passage of Public Law 312, effective in 1990, to provide that the Employer (the City of Fort Wayne) can elect to pay all, or any part of such assessment for the police force member, and

WHEREAS, the City of Fort Wayne, Indiana, enacted SPECIAL ORDINANCE NO. S-01-90, effective on January 1, 1990, and therein provided that the City of Fort Wayne would pay two (2%) per cent of the six (6%) per cent assessment (one third of such assessment) on behalf of all active members of the police force, into the appropriate Retirement Fund, and

WHEREAS, such SPECIAL ORDINANCE NO. S-01-90 did not amend the definition of a "salary of a first class patrolman" by including such payment by the City of Fort Wayne into such Retirement Fund on behalf of each active police officer, and

WHEREAS, failure to amend the definition of a "salary of a first class patrolman" results in the exclusion of such assessment payment from the computation of pension benefits paid to retired members of the Fort Wayne Police Department and their widows and/or children, and

WHEREAS, the definition of "salary of a first class
1 patrolman" should be amended in order to include such assessment
2 payment made on behalf of active members of the police force by
3 the City of Fort Wayne.

4 NOW, THEREFORE, BE IT ORDAINED by the Common Council of
5 the City of Fort Wayne, Indiana that:

6 SECTION 1. The definition of a "salary of a first class
7 patrolman" of the Fort Wayne Police Department shall include
8 salary assessment payments made by the City of Fort Wayne into the
9 1925 and 1977 Police Retirement Funds.

10 SECTION 2. That this ordinance shall be in full force
11 and effect from and after January 1, 1990.

13

14 Council member

15 ~~APPROVED AS TO FORM~~
~~AND LEGALITY~~

16 J. Timothy McCaulay
17 J. Timothy McCaulay, City Attorney

Sandra E. Kennedy, City Clerk

1 BILL NO. G-90-08-06

2 GENERAL ORDINANCE NO. _____

3 An Ordinance to include in the definition
4 of "salary of a first class patrolman"
5 the annual payment by the City of Fort
6 Wayne of the assessment levied against
7 the pay of a police force member and
8 paid into Police Retirement Funds when
9 all, or part, of such assessment is paid
10 on behalf of the member by the City of
11 Fort Wayne rather than retained out of
12 the salary of a police force member.

13 WHEREAS, Indiana Code, Section 36-8-6-4, and Indiana Code,
14 Section 36-8-8-8, provide that each active police officer who is
15 a member of a Retirement Fund shall pay an assessment equal to
16 six (6%) per cent of the salary of a first class patrolman into
17 such Retirement Fund annually, and

18 WHEREAS, the Indiana General Assembly in 1989 amended
19 Section 36-8-6-4 and Section 36-8-8-8 by passage of Public Law
20 312, effective in 1990, to provide that the Employer (the City of
21 Fort Wayne) can elect to pay all, or any part of such assessment
22 for the police force member, and

23 WHEREAS, the City of Fort Wayne, Indiana, enacted SPECIAL
24 ORDINANCE NO. S-01-90, effective on January 1, 1990, and therein
25 provided that the City of Fort Wayne would pay two (2%) per cent
26 of the six (6%) per cent assessment (one third of such assess-
27 ment) on behalf of all active members of the police force, into
28 the appropriate Retirement Fund, and

29 WHEREAS, such SPECIAL ORDINANCE NO. S-01-90 did not amend
30 the definition of a "salary of a first class patrolman" by
31 including such payment by the City of Fort Wayne into such
32 Retirement Fund on behalf of each active police officer, and

WHEREAS, failure to amend the definition of a "salary of
a first class patrolman" results in the exclusion of such
assessment payment from the computation of pension benefits paid
to retired members of the Fort Wayne Police Department and their

1 widows and/or children, and

2 WHEREAS, the definition of "salary of a first class patrolman"
3 should be amended in order to include such assessment payment made
4 on behalf of active members of the police force by the City of
5 Fort Wayne.

6 NOW, THEREFORE, BE IT ORDAINED by the Common Council of the
7 City of Fort Wayne, Indiana:

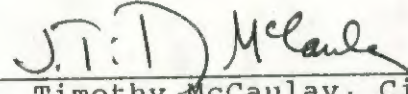
8 SECTION 1. That the definition of a "salary of a first class
9 patrolman" who is an active member of the Fort Wayne Police
10 Department shall be as described herein for the purposes of
11 computing retirement benefits to retired members of the Fort
12 Wayne Police Department:

13 Indiana Code, Section 36-8-6-9,
14 entitled "Retirement Benefits" and
15 Indiana Code, Section 36-8-8-11,
16 entitled "Computation of Retirement
17 Benefits" shall include in the def-
18 inition of "salary of a first class
19 patrolman" all items described in
20 such Sections and shall also include
all payments made by the City of
Fort Wayne into such Retirement Fund
in the form of the assessment out of
salary which the City of Fort Wayne
may elect to make on behalf of active
members of the police force.

21 SECTION 2. That this ordinance shall be in full force and
22 effect from and after January 1, 1990.

23
24 
Council Member

25 APPROVED AS TO FORM
26 AND LEGALITY

27 
28 J. Timothy McCaulay, City Attorney
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Read the first time in full and on motion by Burns,
seconded by Bradbury, and duly adopted, read the second time by
title and referred to the Committee on Finance (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Common Council Conference Room 128, City-County
Building, Fort Wayne, Indiana, on _____, the _____, day
of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 8-14-90

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____,
seconded by _____, and duly adopted, placed on its passage.
PASSED _____ LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____
<u>BRADBURY</u>	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____
<u>EDMONDS</u>	_____	_____	_____	_____
<u>GIAQUINTA</u>	_____	_____	_____	_____
<u>HENRY</u>	_____	_____	_____	_____
<u>LONG</u>	_____	_____	_____	_____
<u>REDD</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. _____
on the _____ day of _____, 19____

ATTEST:

(SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19____,
at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____,
19____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

BILL NO. G-90-08-06 (as amended)

REPORT OF THE COMMITTEE ON FINANCE

THOMAS C. HENRY, CHAIRMAN
DONALD J. SCHMIDT, VICE CHAIRMAN
BRADBURY, BURNS, GiaQUINTA

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) to include in the definition of "salary of a first class patrolman" the annual payment by the City of Fort Wayne of the assessment levied against the pay of a police force member and paid into Police Retirement Funds when all, or part, of such assessment is paid on behalf of the member by the City of Fort Wayne rather than retained from the salary of a police force member

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
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_____	_____	_____	_____
_____	_____	_____	_____

DATED:

Sandra E. Kennedy
City Clerk